REMARKS

Claims 1-52 are pending.

Claims 4, 5, 7-10, 13-23, 26-36, 39-49, and 52 are allowed.

Claims 11 and 24 are objected to.

Claims 1-3, 6, 11, 12, 24, 25, 37, 38, 50 and 51 were rejected.

Claim 12 is cancelled, herein.

Claims 1, 11 and 24 are amended, herein.

Claim 53 is new. No new matter is added.

Claim Rejections Under 35 U.S.C. § 112

The Examiner rejected claims 11 and 24 under 35 U.S.C. § 112, second paragraph, on the basis of failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 11 and 24 are amended as suggested by the Examiner, to replace "a called device" with "the device". Accordingly, withdrawal of the rejection of claims 11 and 24 is respectfully requested.

Claim Rejections Under 35 U.S.C. § 103

The Examiner rejected claims 1-3 and 6 under 35 U.S.C. § 103(a) over Scott (U.S. Patent 6,339,481).

The rejection is traversed; however Applicant amends claims 1 to expedite prosecution. Amended claim 1 recites a device comprising:

a network interface for coupling to a network; and
a processor coupled with the network interface, where the processor is configured to:
transmit a call setup message to a called device through a network to establish a
connection session for exchanging data;
receive from the called device a reply message, wherein the reply message is transmitted
to the device through the network;
analyze the reply message for inclusion of an attribute of the called device associated
with the connection session;
infer from the reply message the attribute that is not included in the reply message; and
transmit data to the called device using the inferred attribute.

Scott describes a system including an originating fax machine FTE 10-1 which sends a facsimile to a destination fax machine FTE 10-2 (column 6 lines 20-25). Fax machines FTE 10-

1 and FTE 10-2 are connected to the network 12 by originating interface FIU 14-1 and destination interface FIU 14-2, respectively (Fig 3).

The Examiner identifies the destination interface FIU 14-2 as disclosing the network interface recited by claim 1, wherein the processor is located inside FIU 14-2. According to this interpretation, Applicant respectfully submits that the processor of Scott fails to disclose the processor of claim 1, wherein the processor is configured to transmit a call setup message to a called device through a network to establish a connection session for exchanging data. To the contrary, destination interface FIU 14-2 (and accordingly any processor included inside FIU 14-2) is shown in Figure 3 as communicating directly with the destination fax machine FTE 10-2, and not through a network.

Additionally, the processor of Scott fails to disclose the processor of claim 1, wherein the processor is configured to receive from the called device a reply message, wherein the reply message is transmitted to the device through the network. Since the processor of Scott is located inside the destination FIU 14-2, Applicant respectfully submits that it would be improper to interpret Scott as disclosing wherein the reply message is transmitted to the device through the network. Instead, the processor of Scott is understood as receiving the reply message directly from the destination fax machine 10-2, outside of the network (column 6 lines 36-38 and Fig. 3).

Furthermore, the originating interface FIU 14.1 (and presumably any processor located inside of FIU 14.1) fail to disclose the interface and processor recited by claim 1. The Examiner identifies the data signaling rate of 4,800 bps as disclosing the attribute that is inferred from the reply message and not included in the reply message. Scott describes a DIS packet containing capabilities and negotiated features (e.g. the data signaling rate) of the destination fax machine 10-1 as being transmitted by the destination interface FIU 14-2 over the network 12 to the originating interface FIU 14.1 (column 6 lines 45-56). Since the data signaling rate is included in the DIS packet that is transmitted to the originating interface FIU 14.1, the FIU 14.1 would not need to infer the data signaling rate. Accordingly, Scott teaches away from inferring from a reply message an attribute that is not included in the reply message, as recited by claim 1.

The Examiner states that it would have been obvious to one skilled in the art to analyze the reply message, in order for the reply message to be edited (page 4 of the 12/31/2007 Office Action). The Examiner further identifies editing a data signaling rate as disclosing inferring from the reply message the attribute that is not included in the reply message. Scott describes the

destination fax machine FTE 10-2 as reporting the data signaling rate to the destination interface FIU 14-2 in a DIS frame in response to a phone call (column 6 lines 29-32 and 45-49). Therefore, even though the data signaling rate is edited (e.g. from 9,600 bps to 4,800 bps) it is nevertheless included in the DIS frame and reported to the FIU 14-2. Accordingly, Applicant respectfully suggests that Scott fails to disclose an attribute that is not included in the reply message, as recited by claim 1.

Claims 2-3 and 6 are believed to be allowable as depending on claim 1 in addition to the further novel features recited therein. Accordingly, withdrawal of the rejection of claims 1-3 and 6 is respectfully requested.

The Examiner rejected claims 11-12, 24-25, 37, 38, and 50-51 under 35 U.S.C. § 103(a) over Boyle, *et al.*, (U.S. Patent 6,978,383).

The rejection is traversed. Previously presented claim 50 recites a method comprising:

> receiving a call setup message from a calling device through a network to establish a connection for exchanging data;
> configuring a first port of a called device to transmit data through, during the connection;
> configuring a second port of the called device to receive data from, during the connection;
> transmitting to the calling device a reply message identifying the first port as a port to transmit from, but not identifying the second port; and
> receiving data addressed to the second port in response to the reply message, where an identifying number of the second port has a preset relationship with an identifying number of the first port.

Boyle describes a communication session between two clients used for voice or video calls over the Internet (Abstract). PC 10 transmits a call-setup request to external manager 20 when it wants to communicate with PC 12. External manager 20 searches a directory for a TCP port 4321 of PC 12 and transmits the call-setup request to the port 4321 of PC 12 (column 4 lines 48-61).

The Examiner identifies TCP port 4321 as disclosing the second port of claim 50. Claim 50 recites a method comprising receiving data addressed to the second port in response to the reply message. The TCP port 4321 of Boyle, on the other hand, is described as being used to receive the call-setup request (column 4 lines 56-60) and sending the reply to the call-setup request (column 5 lines 43-45). Boyle does not describe where the TCP port 4321 receives data

in response to a reply message; rather it is UDP port 5432 of PC 12 that is described as receiving a UDP packet from PC 10 (column 5 lines 59-60). Accordingly, Applicant respectfully submits that TCP port 4321 fails to disclose the second port recited by claim 50.

Assuming that the Examiner had intended to identify the UDP port 5432 as the second port (rather than the TCP port 4321), this also fails to disclose the further features of claim 50, including transmitting to the calling device a reply message identifying the first port as a port to transmit from, but not identifying the second port. The UDP port 5432 is in fact identified in the reply to PC 10 (column 5 lines 49-51). Accordingly, neither the TCP port 4321 nor the UDP port 5432 disclose the second port recited by claim 50.

Independent claims 11, 24 and 37 are believed to be allowable for similar reasons as provided with respect to claim 50, above. Claims 25, 38 and 51 are believed to be allowable as depending on claims 24, 37 and 50, respectively, in addition to the further novel features recited therein. Accordingly, withdrawal of the rejection of claims 11, 24-25, 37, 38, and 50-51 is respectfully requested.

Conclusion

For the foregoing reasons, the applicants request reconsideration and allowance of claims 1-11 and 13-53. The applicants encourage the examiner to telephone the undersigned if it appears that an interview would be helpful in advancing the case.

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Respectfully submitted,

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